

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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APPLETON PAPERS INC. and  
NCR CORPORATION,

Plaintiffs,

v.

No. 08-CV-16 WCG

GEORGE A. WHITING PAPER  
COMPANY, *et al.*,

Defendants.

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**PLAINTIFF APPLETON PAPERS INC.'S MOTION FOR SUMMARY  
JUDGMENT AS TO DEFENDANTS' CERCLA COUNTERCLAIMS**

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Plaintiff Appleton Papers Inc. ("API"), by its undersigned counsel, respectfully moves the Court, pursuant to Fed. R. Civ. P. 56 and Eastern District Local Rule 56(b), for entry of an Order that grants summary judgment in its favor as to all counterclaims seeking relief from API under CERCLA § 113(f), 42 U.S.C. § 9613(f), and dismisses all such claims with prejudice.

The grounds for this motion are set forth in Plaintiff Appleton Papers Inc.'s Memorandum in Support of its Motion for Summary Judgment as to Defendants' CERCLA Counterclaims, which is being filed herewith. API is also filing herewith Plaintiff Appleton Papers Inc.'s Proposed Findings of Fact in Support of its Motion for Summary Judgment as to Defendants' CERCLA Counterclaims.

Dated this 17<sup>th</sup> day of July, 2012.

Respectfully submitted,

APPLETON PAPERS INC.

By: /s/ Ronald R. Ragatz  
One of Its Attorneys

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